IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 740 OF 2006

USV Limited & ors. ... Petitioner

V/s.

State of Maharashtra & Ors. ... Respondent

Mr. N.H. Seervai, Sr. Counsel with Mr. Simil Purohit i/b. Dhru & Co.
Mr. A. Sayed, Govt. pleader for respondent No.1 & 4.

CORAM : F.I. REBELLO, J.
ANOOP V. MOHTA, J.
DATED : 21st March, 2006

P.C.

. Rule. Heard forthwith.

2. Similar other petitions had came up before this Court, wherein orders have been passed. The petitioner is manufacturer and dealer in the products which are marketed and sold as nutraceuticals or health food/dietary supplements. Third petitioner is C & F agent of the petitioner No. 1. Petitioner No. 2 is share holder of petitioner No.1.

3. The petitioner No. 1 has been served with order of suspension on 10th March, 2006. It is the case of the petitioners that no Show Cause Notice has been served on them. Considering orders passed in other similar petitions, this petition can be disposed

of by issuing following directions.

i) Respondent No. 3 will issue Show Cause Notice to the petitioner within two weeks from today and in conformity with law in respect of the products which are the subject matter of the order of suspension.

ii) Petitioner will reply to the said Show Cause Notice within two weeks on receipt of the same.

iii) Respondent No. 3 after giving hearing to the petitioner will pass appropriate order according to law. If the orders are adverse to the petitioner, the respondents shall not act upon the same for four weeks from the date of communication of order to the petitioner.

iv. On expiry of period of suspension, respondent No. 3 will not issue any fresh order during the pendency of the proceeding as set out earlier.

4. Rule made absolute.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]